

WALTER M. GIBSON.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A report from the Secretary of State in the case of Walter M. Gibson.*

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JANUARY 20, 1855.—Referred to the Committee on Foreign Affairs, and ordered to be printed.

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*To the House of Representatives:*

In further compliance with the resolution of the House of Representatives of the 27th of July last, upon the subject of the case of Walter M. Gibson, I transmit a report from the Secretary of State.

FRANKLIN PIERCE.

WASHINGTON, January 19, 1855.

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*To the President of the United States:*

After the publication of the correspondence between the Secretary of State and the minister of the United States to the Netherlands, in the case of Walter M. Gibson, called for by a resolution of the House of Representatives of the 27th of July last, it was discovered that an important paper embraced in that resolution had not been transmitted. The paper referred to was the alleged copy of a letter from Walter M. Gibson to the governor of Netherlands India, dated the 25th of February, 1852.

I deem it proper to send to you one which I believe to be a duplicate of that which was received at the department from our minister at the Hague, with an explanation of the reasons why it did not accompany my report to you of the 16th ultimo.

It is the common practice in the department to allow those having claims against foreign governments for losses of property or personal injuries, under its management, to have access to the papers on file in relation to their respective cases. The ordinary course was pursued in regard to Mr. Gibson. During the pendency of the negotiations of his case, down to the time copies were made for Congress, he frequently

applied for permission to examine the documents relating to it, and it was always granted to him. Mr. Belmont's despatch of the 5th of March, and the papers which accompanied it, were in his possession out of the department for some time. He returned, as was supposed, all that had been intrusted to him. It is not known or believed that any of the papers in Mr. Gibson's case have been in the hands or under the inspection of any person but Mr. Gibson, and those employed in the department. One of the documents which accompanied that despatch was Mr. Van Hall's note of February 25, 1854, in which he states that a copy of Mr. Gibson's letter to the governor of Netherlands India (the missing letter) was attached; and there is no doubt it accompanied the copy of that note sent to this department by Mr. Belmont.

After the papers were returned, Mr. Belmont's despatch was not found among them; but as Mr. Gibson was in Europe and could not be called on to account for it, application was made to Mr. Belmont for a duplicate, which was obtained from him.

Finding the copy of the letter of Mr. Gibson to the Dutch governor had been omitted in the documents published by the House of Representatives, all the papers in Mr. Gibson's case have been since carefully examined, but this letter is not found on the files of the department. It is quite certain that it had become detached from the other papers before the copies were made for the purpose of answering that call. Mr. Gibson has been questioned in relation to this paper, and states that it was not among the correspondence placed in his hands for examination, and cannot account for its disappearance, but expresses a confident opinion that he returned to the department all the papers he took from it.

That it was among the papers received from Mr. Belmont is certain, for it is distinctly recollected by several persons belonging to the department. It was regarded as an important paper, and much relied on by the government of Holland in resisting Mr. Gibson's claim for indemnity. The substance of it, as will be seen upon examination, is contained in the note of Mr. Van Hall to Mr. Belmont, of February 25, 1854, in the printed correspondence. It is also remarked on in Mr. Van Hall's note to Mr. Belmont of the 29th of June, and in our minister's reply to that note of the 4th of July.

I have received a communication from Mr. Gevers, the minister of the King of Holland to this government, accompanied by a copy of the letter which the Dutch government alleges was written by Mr. Gibson to the governor of the Netherlands India. I read carefully, more than once, the copy of that letter which was transmitted by Mr. Belmont, and do not doubt that the one which accompanies Mr. Gever's note to me is a duplicate of that which was on file in the department, but cannot now be found. The copy furnished by the minister of the King of the Netherlands, and his note to me in relation to it, accompany this communication.

All which is respectfully submitted.

W. L. MARCY.

DEPARTMENT OF STATE, *Washington*, Jan. 19, 1855.

*The Chevalier Gevers to Mr. Marcy.*

[Translation.]

WASHINGTON, January 10, 1855.

MR. SECRETARY OF STATE: This morning, as I was running over the documents relating to the affair of Captain Walter M. Gibson, which were communicated to Congress on the 16th of December last, I noticed with some astonishment that the document sent by his excellency the Minister of Foreign Affairs at the Hague, with his communication of the 25th of last February, to Mr. Belmont, minister resident of the United States to the court of the Netherlands, was not among the papers aforesaid.

In that letter Mr. Gibson implores the clemency of his excellency the governor general of the Netherland Indies, acknowledging the culpable imprudence of his actions, and asking for an immediate trial, in the hope that extenuating circumstances might mitigate the punishment which he acknowledged to have deserved. Mr. Belmont made no acknowledgment of the reception of this letter, the original of which is in the possession of my government, and the Minister of Foreign Affairs, in his despatch of the 29th of last June, thought it proper to send him a second copy, calling his particular attention to the thorough avowal which, in that letter, Mr. Gibson made of his fault, without dreaming of disputing the identity of the letter he had sent to the Sultan of Djambi, a letter which he now declares to have been forged.

I take the liberty, Mr. Secretary of State, of forwarding to you, herewith enclosed, a copy of this curious letter of Mr. Gibson to the governor general of the Netherland Indies, requesting that you will have the kindness to communicate the same to Congress, in order to complete the documents which must serve to throw light upon this matter.

In the hope that you will be pleased to accede to this request, which is more than accounted for by the importance of the question, and the necessity of definitely enlightening public opinion as to the just causes which have drawn deserved punishment upon Mr. Gibson, I eagerly avail myself of this occasion, Mr. Secretary of State, to renew to you the assurance of my highest consideration.

J. C. GEVERS.

The Honorable Mr. MARCY,

*Secretary of State of the United States.*


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*Captain Gibson to the Governor of Netherlands India.*

May it please your excellency, I once more take the liberty of addressing you in relation to my case; and I now desire to do so without any feeling of attempt at defence; but rather to throw myself wholly upon your excellency's clemency, and that of your government.

I am, at the moment, at liberty, but expecting incarceration at any time. I must say, that I feel this state of uncertainty to be a severe punishment. I know, and avow most respectfully, that I have allowed

my fancy and my vanity to get the better of my judgment. Much of the time, during my stay within the jurisdiction of the Netherlands Indian government, I remember to have indulged in bravadoes that I would become a potentate in the East; and this to Europeans and natives, who I cannot suppose attached any importance to what I said, than as a vain-glorious boast; but I must ever add, in extenuation, that this was after a plentiful indulgence in wine.

I have been too often led away in life by some high-colored romantic idea; but, as I said at the commencement, I write not for defence on the occasion, but to avow that I committed grave errors in a too free way of speaking with natives; and ultimately in allowing my mate to depart into the interior, and in signing a letter addressed to a native chief, in the Malay character, without sufficiently examining, or endeavoring to know, its inflammatory contents. I acknowledge the serious fault of sending a communication of whatever nature to such a personage, and allowing the mate of my vessel to leave to penetrate into the interior, without acquainting the authorities. I cannot remember more particulars than I have already given in previous statements; and I now crave your excellency's consideration of all the facts, and then dispose of me as your leniency shall dictate. I make no defence, but only pray for a speedy judgment; hoping that there will be found a sufficiency of extenuating circumstances to mitigate the sentence I may strictly deserve.

I remain, your excellency's most obedient servant,

WALTER M. GIBSON.

BATAVIA, *February 25, 1852.*